



General Assembly

January Session, 2013

***Raised Bill No. 6537***

LCO No. 3840



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

***AN ACT CONCERNING WATER QUALITY AND THE UNIVERSITY OF CONNECTICUT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 25-32a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 As used in this section, sections 25-32, 25-32b to 25-32m, inclusive,  
4 as amended by this act, 25-33 and 25-34, "consumer" means any private  
5 dwelling, hotel, motel, boardinghouse, apartment, store, office  
6 building, institution, mechanical or manufacturing establishment or  
7 other place of business or industry to which water is supplied by a  
8 water company; "water company" means any individual, partnership,  
9 association, corporation, municipality, The University of Connecticut  
10 at Storrs, or other entity, or the lessee thereof, who or which owns,  
11 maintains, operates, manages, controls or employs any pond, lake,  
12 reservoir, well, stream or distributing plant or system that supplies  
13 water to two or more consumers or to twenty-five or more persons on  
14 a regular basis provided if any individual, partnership, association,  
15 corporation, municipality or other entity or lessee owns or controls

16 eighty per cent of the equity value of more than one such system or  
17 company, the number of consumers or persons supplied by all such  
18 systems so controlled shall be considered as owned by one company  
19 for the purposes of this definition.

20 Sec. 2. Section 22a-354c of the general statutes is repealed and the  
21 following is substituted in lieu thereof (*Effective October 1, 2013*):

22 (a) On or before July 1, 1990, each public or private water company  
23 serving one thousand or more persons shall map at level B all areas of  
24 contribution and recharge areas for its existing wells located in  
25 stratified drift aquifers. On or before July 1, 2014, The University of  
26 Connecticut at Storrs shall map at level B all areas of contribution and  
27 recharge areas for its existing wells located in stratified drift aquifers.  
28 Not later than three years after the adoption by the Commissioner of  
29 Energy and Environmental Protection of a model municipal aquifer  
30 protection ordinance under section 22a-354l, each public and private  
31 water company serving ten thousand or more persons and The  
32 University of Connecticut at Storrs shall map at level A all areas of  
33 contribution and recharge areas for its existing wells located in  
34 stratified drift aquifers. Any public or private water company,  
35 including, but not limited to, The University of Connecticut, that  
36 creates a new well field serving one thousand or more persons that has  
37 not been mapped previously as an existing well shall map areas of  
38 contribution and recharge areas for the new well field. Any map of  
39 such a new well field shall be submitted not later than one year after  
40 the issuance of a diversion permit in accordance with section 22a-368  
41 at level B, and not later than three years after the issuance of a  
42 diversion permit in accordance with section 22a-368 at level A. The  
43 Commissioner of Energy and Environmental Protection may map at  
44 level A and at level B all areas of contribution and recharge areas for  
45 existing wells located in stratified drift aquifers that are used by any  
46 public or private water company serving less than one thousand  
47 persons.

48 (b) Each public or private water company serving ten thousand or  
 49 more persons and The University of Connecticut at Storrs shall map all  
 50 areas of contribution and recharge areas for potential wells that are  
 51 located within stratified drift aquifers identified as future sources of  
 52 water supply to meet their needs in accordance with the plan  
 53 submitted pursuant to section 25-33h at level B not more than two  
 54 years after the Commissioner of Energy and Environmental Protection  
 55 requests such mapping. The Commissioner of Energy and  
 56 Environmental Protection shall identify and make recommendations  
 57 for mapping, or shall map, all remaining significant areas of  
 58 contribution and recharge areas for potential wells located in stratified  
 59 drift aquifers not identified by a public or private water company as a  
 60 potential source of water supply within the region of an approved  
 61 plan. Mapping of any other area of contribution and recharge areas for  
 62 potential wells located in stratified drift aquifers by the commissioner  
 63 shall be completed at a time determined by the commissioner.

64 Sec. 3. Section 25-37c of the general statutes is repealed and the  
 65 following is substituted in lieu thereof (*Effective October 1, 2013*):

66 The Department of Public Health shall adopt, in accordance with  
 67 chapter 54, regulations establishing criteria and performance standards  
 68 for the three following classes of water-company-owned land: [.]

69 [(a)] (1) Class I land includes all land owned by a water company or  
 70 acquired from a water company through foreclosure or other  
 71 involuntary transfer of ownership or control which is either: [(1)] (A)  
 72 Within two hundred and fifty feet of high water of a reservoir or one  
 73 hundred feet of all watercourses as defined in agency regulations  
 74 adopted pursuant to this section; [(2)] (B) within the areas along  
 75 watercourses which are covered by any of the critical components of a  
 76 stream belt; [(3)] (C) land with slopes fifteen per cent or greater  
 77 without significant interception by wetlands, swales and natural  
 78 depressions between the slopes and the watercourses; [(4)] (D) within  
 79 two hundred feet of groundwater wells; [(5)] (E) an identified direct

80 recharge area or outcrop of aquifer now in use or available for future  
81 use, or [(6)] (F) an area with shallow depth to bedrock, twenty inches  
82 or less, or poorly drained or very poorly drained soils as defined by  
83 the United States Soil Conservation Service that are contiguous to land  
84 described in [subdivision (3) or (4) of this subsection] subparagraph  
85 (C) or (D) of this subdivision and that extend to the top of the slope  
86 above the receiving watercourse.

87 [(b)] (2) Class II land includes (A) all land owned by a water  
88 company or acquired from a water company through foreclosure or  
89 other involuntary transfer of ownership or control which is either [(1)]  
90 (i) on a public drinking supply watershed which is not included in  
91 class I, or [(2)] (ii) completely off a public drinking supply watershed  
92 and which is within one hundred and fifty feet of a distribution  
93 reservoir or a first-order stream tributary to a distribution reservoir,  
94 and (B) notwithstanding any provision of the general statutes, for  
95 lands owned by The University of Connecticut, (i) all level A aquifer  
96 protection lands that are mapped, approved and regulated pursuant to  
97 chapter 446i that are within a public drinking supply watershed that is  
98 not class I land, or (ii) all land that is completely outside public  
99 drinking supply watersheds and that is within one hundred fifty feet  
100 of a distribution reservoir or first-order stream tributary to a  
101 distribution reservoir.

102 [(c)] (3) Class III land includes (A) all land owned by a water  
103 company or acquired from a water company through foreclosure or  
104 other involuntary transfer of ownership or control which is  
105 unimproved land off public drinking supply watersheds and beyond  
106 one hundred and fifty feet from a distribution reservoir or first-order  
107 stream tributary to a distribution reservoir, and (B) notwithstanding  
108 any provision of the general statutes, for lands owned by The  
109 University of Connecticut, (i) unimproved land outside public  
110 drinking water supply watersheds and more than one hundred and  
111 fifty feet from a distribution reservoir or first-order stream tributary to  
112 a distribution reservoir, and (ii) any land that is neither class I nor class

113 II land.

114 Sec. 4. Subsection (b) of section 25-32 of the general statutes is  
 115 repealed and the following is substituted in lieu thereof (*Effective*  
 116 *October 1, 2013*):

117 (b) No water company shall sell, lease, assign or otherwise dispose  
 118 of or change the use of any watershed lands, except as provided in  
 119 section 25-43c, without a written permit from the Commissioner of  
 120 Public Health. The commissioner shall not grant: (1) A permit for the  
 121 sale of class I land, except as provided in subsection (d) of this section,  
 122 (2) a permit for the lease of class I land except as provided in  
 123 subsection (p) of this section, or (3) a permit for a change in use of class  
 124 I land unless the applicant demonstrates that such change will not  
 125 have a significant adverse impact upon the present and future purity  
 126 and adequacy of the public drinking water supply and is consistent  
 127 with any water supply plan filed and approved pursuant to section  
 128 25-32d. The commissioner may reclassify class I land only upon  
 129 determination that such land no longer meets the criteria established  
 130 by [subsection (a)] subdivision (1) of section 25-37c, as amended by  
 131 this act, because of abandonment of a water supply source or a  
 132 physical change in the watershed boundary. Not more than fifteen  
 133 days before filing an application for a permit under this section, the  
 134 applicant shall provide notice of such intent, by certified mail, return  
 135 receipt requested, to the chief executive officer and the chief elected  
 136 official of each municipality in which the land is situated.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	25-32a
Sec. 2	<i>October 1, 2013</i>	22a-354c
Sec. 3	<i>October 1, 2013</i>	25-37c
Sec. 4	<i>October 1, 2013</i>	25-32(b)

***Statement of Purpose:***

To require The University of Connecticut at Storrs to comply with certain water supply plans, consumer information and mapping requirements that are currently applicable to water companies and to classify certain lands of The University of Connecticut at Storrs for purposes of public health regulations.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*